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## ***President Trump as status dysfunction***

### **Introduction**

The election of Donald Trump has context (Patomäki, 2018; Dodd et al, 2017; Fullbrook and Morgan, 2017; Johnston, 2018; Formisano, 2015). Within that context what we want to suggest in this brief polemic is that Trump's words, actions and inactions are potentially deeply damaging to the legitimacy of the office he holds and to the continuity of the institutions defining that position. This, writ large, is an issue for organization theory. Trump's tenure can be described as a kind of organizational disarray. His administration is understaffed, detached and disembedded, such that it is *characterised by its disconnectedness and disorganization*. However, it is the qualities of this organizational anathema that matter.

Most accounts of social reality explore the ontology of agent structure relationships. Searle's concept of status functions seems particularly apt here (Searle, 2010; for constructive critique see Lawson, 2016).<sup>1</sup> A status function is a function conferred on an object or person that could not exist merely as an attribute of that object or person. It is a consequence of collective agreement or recognition of the status and that enables that status. According to Searle, status functions are of central importance because rights, duties, obligations, permissions, and entitlements are associated with them. A status function confers "deontic powers". These, in turn, are brought into existence within constitutive rule systems that then give rise to institutional facts (for summary of nuance see Searle, 2010: 3-24). So, it is an institutional fact that Donald Trump is President of the United States. His status has the general form of "X counts as Y in context C": *Trump counts as President because he was elected according to the rules, regulations and conventions of the American political system*. However, for X to count as Y is not simply a formal set of conditions. It is also an ongoing act of performance within the expected norms governing that position. Without this expected performance, the continued recognition of X as Y is brought into question, and there is a real possibility that Y as a position is thereby undermined in the long term.

Trump very clearly invokes problems of status dysfunction. For Searle, appropriately holding a position is transformative. *Inter alia*, the position creates desire-independent reasons for acting that affect conduct (Searle, 2010: 127-128).<sup>2</sup> That is, one suppresses inclinations and modifies behaviour. This extends from the mundane and generic 'I don't feel like it right now' or 'I'd rather just do x' (we go to work, we

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<sup>1</sup> The nature of social reality is a subject of longstanding debate in organization theory (see e.g. Hasard and Prim 1990; Ackroyd and Fleetwood, 2000; Edwards et al, 2014).

<sup>2</sup> Note, it is not possible in a brief polemic to address all aspects of the life's work of a prolific philosopher and social theorist such as Searle. It is useful to bear in mind that 1) For Searle his is a philosophy *for* the social sciences not a philosophy *of* the social sciences; it is intended as a simplified apparatus that expresses the common constituents from which social reality is built, 2) status functions are about the meaningful pursuit of living socially, and though the efficacy of completing a task may be a goal of living socially Searle's work is a sustained critique of behaviourism and functionalism (for example, social activity based on obligation presupposes a "gap" or the possibility of deciding not to do something).

respect the rights of others etc) to more specific activity that is shaped in relation to complexly formed expectations. The US presidency is one such position (Searle, 2010: pp. 160-173). Ultimately, it involves a requirement to protect the integrity of the position. However, “presidential” has context and nuance. The argument coalesces around two statements and concludes with one question:

1. *Trump has not placed himself in a position to be competent, he does not conform to expectations of the role of president and fails to conform to conventional presidential practice;*
2. *It is not that one expects an “ideal” president, but rather that the US presidency is constituted by an ideal, in relation to a set of norms, powers and functions;*
3. *If Trump’s presidency is status dysfunctional what does this suggest regarding the future of political culture and institutions?*

### **Competency, conforming to expectations and presidential practice**

Over time roles acquire expectations associated with what it means to occupy or express that role. This is because a role involves combinations of formal and informal rules, norms and practices. A role is positioned and relational and typically purposive. It is enacted in terms of how it is positioned, the relations that locate that position and the purposes attributed to it. These create grounds by which it is possible to be more and less competent and to succeed or fail in conveying competency. *Incompetency* thus depends on, at least in part, whether a position-holder fails to perform appropriately in regard of a status function: how X counts as Y (Searle, 1995: 48). Since occupying the role of president, Trump has manifestly failed to *convey* competency when considered in terms of the norms and expectations of a US president and has in these terms demonstrated malpractice. As such, as we explore below, he has been widely judged to be incompetent. This speaks to status dysfunction, though competency may have other grounds (getting things done, see later).

A fairly consistent picture has emerged in the press of a man who has not placed himself in a position to be or become competent and who seems unwilling and perhaps unable to do so. Trump responds that he is judged unfairly by a hostile “fake” media. However, it is numerous leaks from within Trump’s own administration, cabinet and wider circle of communicants that provide much of the testimony, albeit some of this is not disinterested (see Comey 2018, Frum, 2018 and Wolff, 2018). According to these testimonies and other sources, he is difficult to brief, limited in attention span and *a priori* ignorant of much of the substantive remit of the agencies and operation of government he oversees. He is portrayed as a man more attuned and responsive to Fox News than to expert informed advice.<sup>3</sup> This is a different issue than whether that advice has ideational-ideological inflection. Trump tends to emphasise instinct and intuition but admits no contradiction in rooting these in ignorance of context and precedent (sometimes denying that he did not know,

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<sup>3</sup> While himself responsive to Fox News, Trump can nonetheless become embarrassing for its news anchors. On 26 March 2018 Trump’s telephone interview on “Fox and Friends,” was eventually interrupted and ended by a host declaring: “We could talk to you all day but it looks like — you have a million things to do.” Blake (2018)

sometimes conflating ignorance with repudiation of past practices, despite that one cannot *reasonably* repudiate what one is ignorant of).<sup>4</sup> Perhaps the most quotable appellations in 2017 were attributed to Rex Tillerson (“f\*\*\*ing moron”) and H. R. McMaster (“idiot” with the intelligence of a “kindergartner”) (Bernstein, 2017).<sup>5</sup>

Of course, advice itself is conditional on the expertise and positioning of the adviser. The Trump White House too does not conform to expectations and this too speaks to dysfunction. The administration stands out as disconnected or disembedded and disorganized. This state of affairs cannot stop time. Things are still done, events still occur and politics does not cease. However, organizational disarray affects what happens and how it happens, and amongst other things creates multiple opportunities for others to exploit. Organizational problems with the Trump administration have taken various forms.

The turnover of staff within Trump’s administration is unprecedented (Tenpas, 2018). As of July 2018, this included a chief of staff, a chief political strategist, a chief economic adviser, a press secretary, a White House staff secretary, four communication directors, an acting attorney general, an FBI director, a chief administrator of the Environmental Protection Agency, a secretary of veteran affairs and two national security advisers.

Many of the persons occupying roles in Trump’s cabinet lack the kinds of qualifications and experience usually required to occupy those roles. For example, Betsy DeVos as Education Secretary.<sup>6</sup> In some instances the sense of organizational anathema is compounded by problems of nepotism as well as unrealistic expectations. For example, Ivanka Trump’s wandering role as unofficial stand-in for the president or Jared Kushner as senior adviser. Kushner’s portfolio of responsibilities has variously included Middle East peace, overseeing the reform of Federal government, implementation of “innovation”, resolving the opioid epidemic and relations with key trading nations (Baker et al, 2017). This is a portfolio that would exceed the capabilities of someone with demonstrated expertise and experience in any of these areas. In other instances, persons have occupied roles that they are actively hostile towards. For example, Scott Pruitt, now former administrator of the Environmental Protection Agency.

According to the Partnership for Public Service Political Appointee Tracker, approximately 1,200 positions are executive branch nominations requiring Senate

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<sup>4</sup> Well known examples of such situations include Trump’s lack of knowledge of the US defence nuclear triad, which came to light at a December 2015 Republican debate event; his apparent ignorance of who was responsible for the decision to move the American embassy in the UK, and the implied ignorance of the nature of Brexit, encapsulated in his advice to Prime Minister Theresa May that she should sue the EU.

<sup>5</sup> Emphasis varies; Comey, for example, is suspicious of overplaying Trump’s mental competence since he thinks this reduces the responsibility he bears as morally unfit. [Woodward’s \(2018\) later text serves to confirm the general picture.](#)

<sup>6</sup> Her main qualifications to be Education Secretary were a combination of private advocacy of charter schools and her family wealth. When questioned on CBS 60 Minutes, March 2018 she was unable to provide informed opinion on the public school system in her home state of Michigan.

confirmation. Of these 656 are “key” and as of April 2018, only 387 had been confirmed.<sup>7</sup> Over and above this the Partnership reports that attrition rates for civil servants are higher under Trump than previous presidencies and the loss of non-partisan Federal expertise on public health, climate science, cybersecurity, trade and many other areas cumulatively denies the administration the possibility of well-informed advice (see also Stier, 2018).

Trump positioned himself as a purportedly anti-establishment opposition figure, as a break with the political norm, so some of his appointments have been precisely *not* to meet *past* expectations. However, as the above indicates, this is different than whether he has undertaken to place himself in a position of competency and whether those around him are able to maintain a relationship where competency can be demonstrated.

Trump campaigned as the alternative to a broken politics of elites and claimed to have readily available simple solutions to longstanding entrenched and complex problems. He positioned himself as a disruptive force with consummate “deal-making” credentials. It is in this context that Trump’s approach to policy also stands out as aberrational and this too speaks to dysfunction. His approach has not conformed to past conventional presidential practice. Trump has shown little or no command of fact. Rather he has actively conflated fakery (untruth, falsity) with mainstream media fact-checking and unfavourable commentary (Kakutani, 2018). At the same time, his grasp of policy, practice and process seems tenuous, despite that he has been able to pursue some activity that benefits his own interests. In general, policy has been left unformulated and undetailed (most notably continued gaps and placeholder clauses in the formulation of legislation for healthcare reform). Trump has continued to campaign as though standing for office, appearing at rallies that repeat familiar (divisive) themes, but this format does not demonstrate a transition to the practice of governing; he has not and does not communicate integrated principles and policy specifics behind which he stands and behind which others could be *persuaded* to align because of those specifics.

Faced with opposition or scepticism past presidents sought to persuade through targeted communication. Though this has often involved slogans and soundbites, it has not reduced to them (see for background Nelson, 2014). Past presidents have deferred to designated cabinet appointees and realised the need to be briefed, at the same time they have recognized the value in seeking to project consistency and coherency in order to enhance plausibility and build momentum. They may not have always been successful but they recognized the need to discipline themselves. Trump has been unable to do this and this has been one reason why his first attempts to translate policy into law have faltered. Again, this is a different issue than whether one approves of the ideational-ideological inflection of policy.

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<sup>7</sup><https://ourpublicservice.org/issues/presidential-transition/political-appointee-tracker.php> Accessed 12/4/18

During 2017 the Republicans had an unprecedented degree of dominance in formal politics: they controlled the presidency, both houses of Congress, 32 state legislatures and 33 governorships. And yet after one year in office Trump managed to bring only one piece of legislation through Congress, the *Tax Cuts and Jobs Act*, December 2017, and whatever else this achieved (perhaps a short run boost to consumption based growth) it also represented a huge upward redistribution to the wealthy. Trump otherwise failed to deliver *legislation* on his key campaign commitments. Instead, his first year consisted mainly of presidential security directives, memoranda and executive orders, all of which either bypass or do not directly depend on Congress.

Unilateralism is not new. All modern US presidents have used executive orders and memoranda but none have previously overwhelmingly relied on them, and done so whilst unable to develop legislation at a time their party dominates the main venues of decision making. During his first 100 days Trump issued 30 orders compared to 19 by Obama, and this was the highest number since Truman and Roosevelt (Ingraham, 2017).<sup>8</sup> This does not speak to the narrative of a consummate “dealmaker”. It seems to demonstrate the opposite. Numerous other examples occur. In early 2018 funding for Trump’s Mexican “Wall” was on offer from Democrats in Congress in exchange for guaranteeing the rights of the Deferred Action for Childhood Arrivals (“dreamers”), as part of Federal budget negotiations. Trump, however, was unable to act decisively and the deal collapsed.

Moreover, failures have then been rolled into subsequent events. Trump’s zero-tolerance reinterpretation of criminalised immigration in mid-2018 created a sense of crisis. The fear this invokes through the conflation of asylum with organized gang activity (MS-13 etc) may serve a tactical purpose in subsequent elections, but it was also a specific public relations disaster once reports of the separation of families began to circulate. This created a surreal situation in which Trump sought approval for the (partial) reversal of his own decision. In general, faced with setbacks Trump has resorted to dereliction and tended more to retrospectively *disown* rather than proactively *own* policy. He has tended to harangue and retreat to Twitter, combining irresponsibility with a failure to take responsibility.

In short, Trump has failed to meet normal expectations of the presidency through practice. In a brute sense Trump *is* president. In Searle’s initial terms, he is an X who counts as president (Y). However, though he is president he has not *become* presidential. He has been deemed incompetent and so far he does not seem to have appropriately occupied the position. However, this can be distinguished from whether he continues to be approved of by some subset of voters and whether he has, in some sense, followed through on campaign commitments. Arguably, he has done or begun to do some version of many of the things he said he would: he has repealed “Obamacare”, created a hostile environment for immigration, continued to raise the issue of funding for his wall, challenged NATO members over their defence spending, confronted Iran, withdrawn and/or demanded alteration to trade treaties and

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<sup>8</sup> Moreover, Trump consistently claimed during campaigning that dependence on executive orders was a sign of (when used by Obama) a weak leader who “can’t get anything done”.

initiated tariffs that target countries and regions with trade surpluses with the US. This raises a different more instrumental set of issues for competency than conformity to expectations of the office of president.<sup>9</sup>

However, one should not conflate activity and events with ultimate consequences. Trump has begun many things but what will arise from them may be quite different. Withdrawals, violations, and hostilities are specific disruptions but not constructive solutions and yet cannot persist without them. Most cases are not conflicts that can simply be won by destroying an opponent.

Moreover, the very process of antagonistic, unpredictable disruption undermines the basic trust in and sense of dependability of institutions typically required for problems to be addressed and transcended. Trump's activity as president does not seem to indicate he has a reasonable grasp of this and this infects perceptions of initiatives that might otherwise be viewed more positively (his willingness to meet and apparent sense of ease with authoritarian figures). In terms of grasp, the reverse seems to be the case, his conduct has somehow made the current presidency a problem to be excused or managed, domestically and also internationally. This has put the current presidency at odds with the historical projection of the USA (propaganda and double standards though it may involve) as a source and supporter of rules-based continuity in the world. This has placed the legitimacy of the presidency in question and this too is a matter of status dysfunction. In Trump's case this extends to problems of law and conduct.

### **An ideal president and the presidency as a regulated ideal**

Evidence and law will likely not be irrelevant to Trump's eventual fate. He is vulnerable at both State and Federal level, notably via some combination of criminal prosecution of members of his legal and advisory team, and the Title 28 modification to Title VI of the post-Nixon Ethics in Government Act 1978, which empowers an appointed special prosecutor. However, it would be overly simplistic to suggest that being president is readily reducible to performance in terms of a narrow set of formal conditions, even at the extreme. Article 2 Section 4 of the US constitution (removal from office following impeachment), Article 1 Section 9 (emoluments), or the 25<sup>th</sup> Amendment ("fitness for office") require a set of politically posed mechanisms and decisions. They are not simply matters of law. Moreover, politics is in a certain sense also "theatre" and political office has allowed for and survived many personality types exhibiting a wide range of conduct (see Woodward, 1999). And yet, caveats notwithstanding, Trump *still* stands out.

Consider the range and frequency of revelations, accusations, and investigations that attach to Trump's administration. These include various allegations of impropriety, infidelity, sexual misconduct, nepotism, profligate spending, corruption, fraud,

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<sup>9</sup> The limit case here may also stretch the claim of organisational disarray. One might argue the Christian Right have supported Trump despite his defects because he provides a means to ensure Supreme Court appointees will be favourable to the striking down of Roe versus Wade. To refer back to previous phrasing as an opportunity for others to exploit he is thus highly effective.

dishonesty, perjury, and obstruction of justice.<sup>10</sup> The matter of collusion with Russia hangs over the Trump presidency but by no means is exhaustive of the problems of it. The Trump administration is scandal *prone* and diminishingly unlikely to become scandal *free*, not least because future scandals may have their origins in past business practices. One can become inured to Trump but this should not be conflated with normalisation. Hardly a day passes without report of some other cause for concern, and these fit a transgressive narrative.<sup>11</sup>

For example, Trump was the first modern US president not to place his business dealings in a blind trust, and this not only immediately exposed the administration to influence via concessions for his family's global property empire but also set the tone for cabinet appointees to blur personal comfort, convenience, interest, and serving corporate funded ends through "public service". Some degree of blurring has long been a feature of American democracy, but Trump campaigned to "drain the swamp" and features of this blurring have always been positioned in public discourse as something to be suppressed and criticised. His own base object to them. The Trump administration thus stands as an exception, one that hides in plain sight. Arguably its capacity to do so is enabled by Trump's persistent attack on the media, despite that this clearly has long term harmful implications for the political system (Kakutani, 2018). In any case, the perception of Trump is not created by any single aberrant event but rather the varied, multiple, and continual accumulation of events. This is not a party-political point but rather an issue of whether one's conduct does harm to (as well as signals fracture in) political discourse.

The authority of office is given not a "given". It can be reproduced or undermined along with the office. It is inherent to Searle's status function concept that there is a separation between the person and the position or office held. The office is positioned to confer powers on the person. However, a tension then arises because the capacity for the powers to be recognized rests also on the conduct of the person, in so far as they uphold the office. The separation is not complete, a real time operative sociology must apply (see Archer, 2008). Authority has an absolute cut-off point, if and when a president is removed from office, but the legitimacy of the office can also be corroded in a more diffuse sense and this can be brought about by many different types of conduct. For example, one might distinguish between the vulgarity of speech and the sentiment or substance of what is conveyed, as well as the behaviour that attaches to these. Trump is transgressive in all these senses.

Not only has Trump been observed to tolerate intolerance and equivocate regarding the unequivocal, he has also personalised the procedural in ways that seem to commentators overtly vindictive, spiteful or petty. Events in Charlottesville, Virginia August 2017 illustrate this. Not only did Trump vacillate concerning his official response, but he then personalised his response to the response of others to his

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<sup>10</sup> The scope and remit of investigations is currently cumulative and more than 75 charges had been prepared against Trump associates as of mid-2018.

<sup>11</sup> Many organizations, some more partisan than others now provide and track evidence regarding corruption and dishonesty in the Trump administration. For example, the Centre for American Progress (Berger and Calais-Haase, 2018).



vacillation. This led to a string of resignations from his business advisory councils, notably Kenneth Frazier, the prominent Black American CEO of Merck pharmaceuticals. Trump's response to Frazier was not a polite expression of disappointment, a *thank you for your service, I hope you subsequently change your mind*, but rather an immediate Twitter attack on the business dealings of Merck. This ill-advised response simply exacerbated the situation, ultimately forcing Trump to disband his councils.

To be clear, Trump is not the first president to be divisive (one might point to Reagan's "welfare queens"; see Rossinow, 2015). But even in this context Trump's conduct as a president is aberrant in multiple ways. He was unable to even simulate sustained other-centred concern, though it seemed strategically in his interest to do so. He did not seek to consistently express (and if he was advised to do so seems to have ignored that advice) sentiments that calm an already incendiary situation. These are not incompatible with otherwise divisive stances, they are part of presidential performance, of how X counts as Y. This provides grounds for a president to respond to the consequences of their own more strategic expression of division. In articulating division, it has been typical to attempt to construct a moral high ground and to place behind this ground multiple justifications, such as the protection of order or the possibility of future consensus (and here one might point to the many variant claims presidents have made on a "silent majority"). These provide discursive context for a president to subsequently express targeted "disappointment" with groups who the procedure isolates (enabling blame). Even division has depended in part on context-aware behaviour that has included performance that at least uses the "dignity" of office and exhibits an understanding of how authority is constructed and legitimacy conferred.

Trump, by contrast, is transgressive in quite a different way. This may garner approval or attention from some but it seems to do so in violation of the expected norms of the office of president. It seems insufficient to counter that the role of president has not "changed him" since if this is a product of ineptitude or insensitivity then it is not some alternative positive form of integrity. Moreover, his conduct speaks also to a track record that is more than tolerance of intolerance and extremes (consider Trump's support of the Obama "birther" campaign, his reposting of anti-Muslim videos etc, Barbero, 2016; Ronson, 2017). Trump brings into question what it means for a US president to be on the wrong side of history (and this itself is a matter of how legitimate conduct has a time dynamic). Conflict over Civil War statues in the South has deep roots in different attempts to claim history and contest symbols, drawing different trajectories from the past.

There is no innocent reading of "it is just a statue" and a matter of "heritage". This is itself a politicisation disguising the way the Civil War has been repositioned as a conflict over sovereignty between a doomed underdog South engaged in just war and an industrialised North. The fact that there can be anger and violence on both sides of a debate concerning the retention of potent symbols does not provide specific moral equivalence as a matter of tacit justification (or toleration) of violence and harm to protestors. It does not negate the need to contest and consider how history

occurred and how it has been used as a tool of disenfranchisement, division and oppression. To attempt to play the simple “protection of heritage” card gives succour to racists and neo-Nazis.<sup>12</sup> This sits awkwardly with progress in a multi-ethnic society and thus transgresses contemporary norms of legitimacy.

In many ways then, Trump’s conduct has brought the legitimacy of the presidency into question and this too is an aspect of how he has not *become* presidential as a matter of status dysfunction. This is despite sporadic attempts to address this, notably the removal of Steve Bannon and a brief period of control asserted by John Kelly. There is no simple determination of this dysfunction and yet the “integrity of office” is not mere language nor is the phrase “bringing the office into disrepute” (see Woodward, 1999; Nelson, 2014). In this sense, it is not that one expects an ideal president (as both Bush junior and Bill Clinton indicate) but rather that the presidency is an ideal, constituted by expectations to concur with a set of norms. Though a “West Wing” way so eloquently expressed in the TV series as a self-aware gravitas aligned with dedicated selfless service may be fiction, it speaks to a persistent *regulating* fiction. This is important since perception affects belief, and this in turn is mutually related to commitment and thus to reasons for legitimacy and authority to be given. That is, for the whole to be reproduced. A “House of Cards” Frank Underwood is no more tenable than a Jed Bartlett is realistic.

### **Conclusion: Trump and democratic dilemmas**

Though one can locate Trump in the context of longstanding developments in US politics and foreign policy (see Gills and Patomäki, 2017; Arendt, 1971; Schmitt, 2013), Trump signals a fracture in political discourse. In homage to The Simpsons’ mayor, we might call the Trump effect a vicious variety of *Quimbyism*. His performance in office is, for example, antithetical to the basic conditions of social and political cohesion. This is not least because he brings into question the very idea that truth conditions matter and that norms of honesty, integrity etc must at least have some regulating function (Habermas, 1984).<sup>13</sup> Trump is transgressive. However, the full significance of this cannot be reduced to a focus on his presidency in isolation as an issue of status functions. It speaks to democratic dilemmas.

Critical organization theory (coalescing around the critical management studies group) tends to look for the constructive potential in transgressive situations, where previous

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<sup>12</sup> The Southern Poverty Law Centre tracks the number of hate groups in the US and reports an increased from 784 in 2014 to 954 end of 2017, (not including ones which are solely online), with much of the increase following Trump’s election (the main groups are White and Black nationalists and “Patriot” groups). <https://www.splcenter.org/fighting-hate/intelligence-report/2018/2017-year-hate-and-extremism>

There is not the space here to address with subtlety all the relevant issues that constitute background, such as Manichean dichotomous myths of good/evil and rituals of enemy-construction in US politics (see Patomäki 2002).

<sup>13</sup> According to Leonhardt & Thompson (2017) almost 60% of Americans consider Trump dishonest and there is a continual fact-checking operation of Trump commentary by various media outlets; see ‘Trump’s Lies’, *New York Times*, [https://www.nytimes.com/interactive/2017/06/23/opinion/trumps-lies.html?\\_r=0](https://www.nytimes.com/interactive/2017/06/23/opinion/trumps-lies.html?_r=0)

settled forms of reproduction are disrupted (Alvesson and Wilmott, 2010). On the one hand, the Trump administration provides “permission structures” for prejudice to proliferate. The period is thus likely to provide fertile ground for future “dark side” case studies (see Linstead et al 2014). On the other hand, Trump serves also to provoke and energise political engagement and activity. This has multiple dynamics and potentials (see Zanoni et al, 2017). Perhaps its most propitious is that it draws attention to the tension between participation, representation and accountability. The post-Parkland shootings movement, for example, is expressly about reclaiming agency. However, some might argue so was the Tea Party, though its funding and positioning creates quite a different set of arguments, and these lead back to Trump and the relation between his presidency and US political culture and institutions.

In being status dysfunctional Trump has shown systematic disdain for the institutions that elect, empower and act to provide checks and balances on the presidency. This indicates a shift toward autocratic practices. How Congress ultimately responds to this will be one measure of the vitality of a system of checks and balances, and Congress too can be *given* more or less legitimacy. So far, the evidence is mixed but does not inspire optimism. Congress has resisted an easy ride for legislation but been soft voiced or silent in the face of many of Trump’s most egregious acts. Trump may yet stand and be re-elected, at the same time, impeachment remains a possibility that the House and Senate may push. Moreover, it is not inconceivable that based on the pretence of restoring integrity to the office, Trump’s conduct as president will be used to make it more difficult in the future for outsider candidates to be nominated and run for office (and it is already difficult as Bernie Sanders can attest). This would signal a further corrosion of legitimacy.

However, though Trump may not have won the popular vote his brand of punitive populism has a loyal following. The form this populism has taken under Trump may be problematic but many of the concerns invoked are relevant and real. Trump is simultaneously a product of processes such as globalization, financialization, deindustrialization and rising inequalities and a vocal protest against their effects on everyday lives of people (Fulbrook and Morgan, 2017; Morgan and Patomäki, 2017). Trump’s removal from office would not in itself resolve the underlying and long-standing problems that caused him to be elected. Moreover, over decades, the US political system has become responsive through selection to the most affluent part of the population (APSA Task Force 2004). There is an overriding problem here regarding the future of democracy (Levitsky and Ziblatt, 2018; Patomäki 2018; Runciman, 2018).<sup>14</sup> The broader question it raises is whether there can be organizational renewal for democracy in the context of contemporary capitalism.

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<sup>14</sup> Levitsky and Ziblatt’s core argument is that healthy democracies require a normative commitment to peaceful transition and thus to mutual forbearance in political discourse – style and performance matter.

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